

REMARKS

Claims 1-39 stand rejected. Claims 44-46 are added by amendment. Claims 2 and 36 are cancelled. Accordingly, claims 1, 3-35, 37-39, and 44-46 are at issue. Applicants respectfully request reconsideration or further examination of the present application.

The drawings stand objected to under 37 C.F.R. 1.83(a). Claim 2 is cancelled. Accordingly, it is respectfully submitted that no amendment to the drawings are required and that the objection should be withdrawn.

Claims 1-24 stand provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of copending Application No. 09/587,998. A terminal disclaimer will be given consideration on the event that the rejections become non-provisional.

Claims 1-12 and 18-22 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,834,756 to Gutman et al. Claims 1 and 18, as now amended, recite a processor configured to have adapter identification information. See, e.g., Application, pp. 12, 19-20. New claims 44 and 45 depend from claim 1 and further define the information included in the adapter identification information, which may include an identification number or a retail store name. In contrast, Gutman et al. does not disclose an adapter having a processor configured to have adapter identification information. Because Gutman et al. does not disclose an adapter as claimed in claims 1 and 18, claims 1 and 18 are not anticipated by Gutman et al. Also, claims 3-12, which depend from claim 1, and claims 19-22, which depend from claim 18, are also not anticipated by Gutman et al. Accordingly, claims 1, 3-12, and 18-22 are believed in condition for allowance.

Claims 12-17 and 23-39 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,834,756 to Gutman et al. The remarks given with respect to claims 1 and 18 are incorporated here by reference. Because Gutman et al. does not disclose the processor configured as claimed in claims 1 and 18, dependent claims 12-17 and 23-24 are not rendered obvious by Gutman et al. Accordingly, claims 12-17 and 23-24 are believed allowable.

Additionally, claim 25, as now amended, recited the step of the adapter providing adapter identification information to the electronic transaction device. This step is not taught in Gutman et al. Claim 25 is believed allowable. Also, claims 26-35 and 37-39, which depend from claim 25, are also believed allowable. New claim 46 also depends from claim 25 and recites that the steps are performed in the order recited. Claim 46 is believed allowable for the same reasons as claim 25, which is not so limited.

Additionally, regarding claims 12 and 15, the buffer in each claim is configured to store information received from the electronic transaction device. Regarding claims 13, 14, 16, 17, 23 and 24 as amended, the data buffer is configured to purge information received from the electronic transaction device on the occurrence of specific events. Generic buffers do not suggest the buffers configured as claimed.

Claims 37-38 stand rejected under 35 U.S.C. §103 as unpatentable over Gutman et al. in view of Pitroda '038. Claims 37-38 depend from claim 25 and are believed patentable for the same reasons given for claim 25 above.

It is believed that this reply addresses each and every ground for rejection or objection. Allowance of the claims is respectfully requested. If the Examiner finds that there are

outstanding issues which may readily be resolved by telephone interview, he is invited to contact the undersigned at the below listed number.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pitroda et al.

Group No.: 2876

Serial No.: 09/440,529

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Filed: November 15, 1999

Examiner: M. Tremblay

For: POINT OF SALE ADAPTER FOR  
ELECTRONIC TRANSACTION  
DEVICE

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Fee Amendment, Assistant Commissioner for Patents, Washington, DC 20231, on this date:

9/10/2002

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AMENDED CLAIMS PURSUANT TO 35 C.F.R. §1.121(C)(1)(ii)

Pursuant to 35 C.F.R. §1.121(C)(1)(ii), the following claims correspond to the claims amended by the concurrently submitted amendment for the above referenced application. The claims are marked to show the changes relative to the previous versions of the claims.

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1. (Twice Amended) An adapter for use with point of sale card readers, the adapter comprising:
  - a) a housing, including at least a reader-insertable portion capable of being inserted in the card reader;
  - b) a receive circuit in the housing, the receive circuit adapted to receive information from an electronic transaction device;
  - c) a processor in the housing connected to the receive circuit, the processor configured to have adapter identification information; and
  - d) a point of sale interface in the reader insertable portion of the housing connected to the processor, the point of sale interface adapted to transmit information received from the electronic transaction device.

3. (Amended) The adapter of claim 21, wherein the housing is substantially the same size as a conventional credit card.

18. (Twice Amended) An adapter for use with point of sale card readers, the adapter comprising:

- a) a housing, capable of being inserted in the card reader;
- b) a transceiver in the housing the transceiver adapted to receive information from an electronic transaction device;
- c) a processor in the housing connected to the transceiver, the processor configured to have adapter identification information; and
- d) an electromagnet configured to emulate a magnetic stripe in accordance with information received from ~~an~~ the electronic transaction device connected to the processor.

25. (Amended) A method of using an adapter with a point of sale card reader, comprising:

- a) selecting a card on an electronic transaction device;
- b) placing the adapter in the card reader;
- c) transmitting information corresponding to the selected card from the electronic transaction device to the adapter;
- d) the adapter converting the information corresponding to the selected card to a format readable by the card reader;
- e) the card reader reading the converted information; and
- f) the adapter providing adapter identification information to the electronic transaction device.



37. (Amended) The method of claim ~~36~~, wherein the step of ~~the adapter transmitting information to the electronic transaction device includes~~ 25, further comprising the adapter transmitting confirmation information to the electronic transaction device.

44. (New) The adapter of claim 1, wherein the adapter identification information comprises an identification number.

45. (New) The adapter of claim 1, wherein the adapter identification information comprises a retail store name.

46. (New) The method of claim 25, wherein the steps are performed in the order recited.

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